

100-08/MFM
FREEHILL HOGAN & MAHAR LLP
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER LAIRD,

**DEFENDANT'S ANSWER
TO PLAINTIFF'S
COMPLAINT**

Plaintiff,

-against-

08 CIVIL 0888

Judge Buchwald

MCALLISTER TOWING,

Defendant.

-----x
Defendant, by its attorneys, Freehill, Hogan & Mahar LLP, answering plaintiff's Complaint alleges upon information and belief as follows:

FIRST: Defendant denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph numbered "1," of plaintiff's Complaint.

SECOND: Defendant denies each and every allegation contained in paragraph numbered "2" of plaintiff's Complaint and refers all questions of law to the Court.

THIRD: Defendant denies each and every allegation contained in paragraphs numbered "3," "4" and "5" of plaintiff's Complaint except admits that on June 15, 2007, plaintiff was employed by defendant as a crewmember.

AS AND FOR A FIRST DEFENSE

FOURTH: That if the plaintiff sustained any injuries as alleged in the complaint, said injuries and/or illnesses were caused in whole or in part by plaintiff's own negligence and were not caused or contributed to in any manner by any negligence of the defendant.

AS AND FOR A SECOND DEFENSE

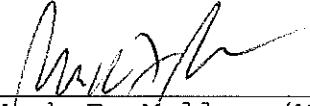
FIFTH: If the plaintiff received any injuries and/or illnesses as alleged in the Complaint, said injuries and/or illnesses were caused in whole or in part by plaintiff's own failure to perform the duties assumed as a term of his employment.

WHEREFORE, defendant demands that the Complaint be dismissed with costs and attorneys' fees to the defendant as against the plaintiff and that the Court grant to the defendant such other, further and different relief as the justice of the cause may require.

Dated: New York, New York
February 29, 2008

FREEHILL HOGAN & MAHAR LLP
Attorneys for Defendant

By


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